

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LOUISE PARIS, LTD. and RAINBOW USA,
INC.,

Plaintiffs,

v.

STANDARD FABRICS INTERNATIONAL,
INC.,

Defendant.

STANDARD FABRICS INTERNATIONAL,
INC.,

Counterclaimant,

v.

LOUISE PARIS, LTD.; RAINBOW USA,
INC.; and DOES 1-10,

Counterdefendants.

Case No.: 15-CV-3250-KC

DECLARATION OF TURIA OSTLING

I, Turia Ostling, declare that I am over 18 years old and am competent to make the testimony set forth below. I am a textile print designer and have created several original textile print designs exclusively for Defendant and Counterclaimant Standard Fabrics International, Inc. (“SFI”). If called as a witness, I could and would competently testify as follows:

1. In or around August 2013, I created the design at issue, SFI design No. 7851 (the “Subject Design”) exclusively for SFI. The Subject Design is an original two-dimensional detailed geometric design that employs modular chevrons in multiple layers using only SFI design No. 7804 as inspiration. At the time I created the Subject Design, I understood and agreed that I was creating a work for hire on behalf of SFI, and that SFI would own all rights in and to

the Subject Design. I created the Subject Design by adding pop colors to design 7804. Attached hereto as **Exhibit 8** is a true and correct copy of SFI's internal design registration form for the Subject Design. The internal design registration form is a standard SFI business record that is drafted upon the creation of new SFI print designs. SFI's principal, Jacob Zakaria, reviews and approves all internal design registration forms for SFI, and he did so for the Subject Design's internal design registration form. I formatted and finalized the Subject Design using computer drafting utilities so that the Subject Design could be seamlessly printed on textiles.

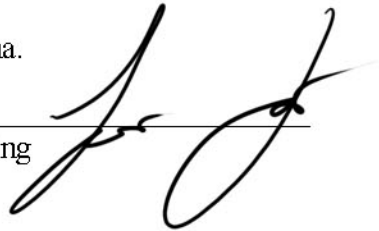
2. I also created design No. 7804, using elements from SFI designs 6450 and 4002 as inspiration. I did not use any other works or motifs from any other works as inspiration for creating design 7804. **Exhibit 2** reflects a true and correct copy of design 7804, from which I used design elements to create the Subject Design. **Exhibit 2** also reflects a true and correct copy of designs 6450 and 4020, from which I used design elements to create design 7804.

I declare under penalty of perjury under the laws of New York and the United States of America that the foregoing is true and correct.

Executed on February 1, 2016 at Gilbert, Arizona.

By:

Turia Ostling
Declarant

A handwritten signature in black ink, appearing to read 'Turia Ostling', is written over a horizontal line. The signature is stylized with a large, sweeping 'T' and a cursive 'Ostling'.